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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,409	12/28/2001	Paul Robert Fletcher	07703-382001 / WIN0203/J.	8556

26211 7590 06/09/2003

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EXAMINER

BARTUSKA, FRANCIS JOHN

ART UNIT PAPER NUMBER

3627

DATE MAILED: 06/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/033,409

Applicant(s)

FLETCHER, PAUL ROBERT

Examiner

F. J. BARTUSKA

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 12-18 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7 and 18 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Weston et al. Weston et al disclose a currency handling apparatus including a housing 2, cash stores 22, 24, 26 and a cash box 21; the apparatus is switchable to a float mode in which the serviceman replenishes the coin store, see col. 5, lines 36-40.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at

the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weston et al in view of British publication 2187021. Weston et al show a cash handling machine with all the features of the applicant's claimed invention except altering the operation of the machine upon receipt of a token. The British publication discloses a coin handling machine that alters its operation upon receipt of a token, see page 3, lines 83-98. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of the British publication to provide the device of Weston et al with means to receive a token and means to alter the operation of the machine in response to receipt of the token. Merely calling for particular features to be activated by the receipt of the token would involve only an obvious matter of design choice to one of ordinary skill in the art.

4. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weston et al in view of Schuller et al. Weston et al show a cash handling machine with all the features of the applicant's claimed invention except the keypad. Schuller et al disclose a cash

handling machine that includes keypad 25 for controlling the operation of the machine. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Schuller et al to provide the device of Weston et al with a keypad to control the operation of the machine.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weston et al in view of Schuller et al. Weston et al show a cash handling machine with all the features of the applicant's claimed invention except the display of the coin levels in the coin store. Schuller et al disclose a display 29 that displays the amount of coins in the coin stores, see col. 48, lines 8-36. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Schuller et al to provide the device of Weston et al with a display to show the coin levels in the coin stores.

6. Claims 8 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weston et al in view of Hochriem. Weston et al show a cash handling machine with all the features of the applicant's claimed invention except the lockable door for the cash box. Hochriem shows a

cash handling machine with a first cash store 7, 8 and 9 and a second cash store 48 including a lockable door 50 that allows access to the second cash store but not the first cash store, see page 3, lines 59-67. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Hochriem to provide the device of Weston et al with a lockable door for the cash box that would allow access to the cash box 21 but not the coin tubes 22, 24 and 26.

7. Claims 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weston et al in view of Schuller et al. Weston et al show a cash handling machine with all the features of the applicant's claimed invention except receiving remote instructions. Schuller et al disclose a cash handling machine that includes data ports 31 and 33 for receiving instructions from remote sources. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Schuller et al to provide the device of Weston et al with data ports to receive instructions from remote sources.

***Claim Rejections - 35 USC § 112***

8. Claims 1-7 and 14-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims are indefinite because there is not sufficient structure included in claim 1 to perform the function claimed in the wherein clause. Particularly, no switch is claimed, nothing is claimed which would be responsive to an external operation, nothing is claimed which would control the machine in the normal and float modes and nothing is claimed which would increment credit value.

***Allowable Subject Matter***

9. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claim 16 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this

Office action and to include all of the limitations of the base claim and any intervening claims.

### *Specification*

11. The abstract of the disclosure is objected to because it includes claim-like language, such as: "means". Correction is required. See MPEP § 608.01(b).

12.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or



REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Priority***

13. Receipt is acknowledged of papers filed under 35 U.S.C. 119 (a)-(d) based on an application filed in EPO on 28 December 2000. Applicant has not complied with the requirements of 37 CFR 1.63(c), since the declaration refers to a British application. A new oath, declaration or application data sheet is required in the body of which the present application should be identified by application number and filing date.

***Drawings***


14. The corrected or substitute drawings were received on 28 October 2002. These drawings are not accepted because they do not include reference numeral 38 referred to in line 14 of page 8 of the specification.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. J. BARTUSKA whose telephone number is 703-308-1111. The examiner can normally be reached on MONDAY-FRIDAY (ALTERNATE FRIDAYS OFF).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ROBERT P. OLSZEWSKI can be reached on 703-308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

  
F. J. BARTUSKA  
PRIMARY EXAMINER 6/9/03